

May 12, 2011

CLERK, U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA

0003488644

2  
Holly S. Burgess (State Bar No. 104575)  
LAW OFFICES OF HOLLY S. BURGESS  
680 Auburn-Folsom Road, Suite 109  
Auburn, CA 95603  
(530) 889-8900-Telephone  
(530) 392-4641-Direct Dial  
(530) 820-1526-Facsimile  
[hollyburgess@lohsb.com](mailto:hollyburgess@lohsb.com)

Attorneys for Plaintiff/Debtor  
JAMES L. MACKLIN

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

In re )  
 ) **CHAPTER 7**  
JAMES L. MACKLIN, )  
 ) **CASE NO. 2010-44610**  
Debtor, )  
 ) **DCN: HSB-002**

\_\_\_\_\_)  
JAMES L. MACKLIN, ) **ADV. NO. 11-02024-E**  
 )  
Plaintiff, )

-vs.- )

DEUTSCHE BANK NATIONAL TRUST CO., ) **Date: June 9, 2011**  
AS INDENTURE TRUSTEE FOR THE ) **Time: 1:30 p.m.**  
ACCREDITED MORTGAGE LOAN TRUST ) **Place: 501 I Street, 6th Floor, Courtroom 33**  
2006-2 ASSET-BACKED NOTES; and all ) **Sacramento, California**  
persons claiming by, through, or under such )  
person, all persons unknown, claiming any legal )  
or equitable right, title, estate, lien, or interest in )  
the property described in the complaint adverse )  
to Debtor's title thereto; and )  
CORRESPONDENT DOES 1-10, Inclusive, )  
\_\_\_\_\_) **Defendant.**

**DECLARATION OF HOLLY S. BURGESS IN SUPPORT OF MOTION TO COMPEL  
CHAPTER 7 TRUSTEE TO ABANDON PROPERTY OF THE ESTATE**

I, Holly S. Burgess, declare as follows:

1. I am the attorney of record for Debtor/Plaintiff, James L. Macklin in the above-entitled actions.

1           2.       The facts set forth herein are known to me personally, and if called upon to testify,  
2 I could and would competently testify thereto.

3           3.       I have had several telephone and email conversations with the office of Thomas  
4 Aceituno regarding abandonment of the subject property.

5           4.       On May 9, 2011, Mr. Aceituno stated that Plaintiff/Debtor should file the motion to  
6 compel the trustee to abandon the property of the estate and that he would file a non-opposition to  
7 this motion to compel the trustee to abandon property.

8           5.       In discussing the property value with Plaintiff/Debtor, I was advised by Mr.  
9 Macklin that the current value of the property is between \$280,000 to \$300,000.

10           I declare under penalty of perjury of the laws of the United States of America that the  
11 foregoing is true and correct and that this declaration was executed on May 9, 2011, at Placer  
12 County, Auburn, California.

13  
14                               /s/ Holly S. Burgess  
15                               HOLLY S. BURGESS  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28